

FIRST REGULAR SESSION

# HOUSE BILL NO. 357

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLLINS.

1000H.011

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to parole hearings for certain offenders.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be known as section 217.697, to read as follows:

**217.697. 1. Notwithstanding any other provision of law, any offender who:**

**(1) Is incarcerated in a correctional facility after being sentenced by a court of this state;**

**(2) Is serving a sentence of life without parole for a minimum of fifty years or more, who was sentenced under section 565.008 for an offense committed prior to October 1, 1984, and who has not been sentenced to imprisonment for the duration of his or her natural life without the possibility of probation or parole;**

**(3) Is sixty-five years of age or older;**

**(4) Has been diagnosed with a terminal diseases or illness or meets the criteria for medical parole;**

**(5) Has no felony conviction for a dangerous felony, as defined under section 556.061, prior to the conviction for which he or she is currently incarcerated; and**

**(6) Is not a convicted sex offender**

**shall receive a parole hearing upon serving thirty years or more of his or her sentence.**

**2. During the parole hearing required under subsection 1 of this section, the parole board shall determine whether there is a reasonable probability the offender**

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 shall live and remain at liberty without violating the law upon release. If the board  
19 determines a reasonable probability exists, the offender shall be eligible for release upon  
20 a finding that the offender has:

21 (1) A record of good conduct while incarcerated;

22 (2) Demonstrated self-rehabilitation while incarcerated;

23 (3) A workable parole plan, including community and family support;

24 (4) An institutional risk factor of no higher than one, which shall be based on  
25 assessment tools used by the department of corrections and the parole board; and

26 (5) A mental health score no higher than two.

27 3. Any offender granted parole under this section shall be subject to a minimum  
28 of five years of supervision by the division of probation and parole upon release.

29 4. Nothing in this section shall diminish the consideration of parole under any  
30 other provision of law applicable to the offender or the responsibility and authority of  
31 the governor to grant clemency, including pardons and commutation of sentences if  
32 necessary or desirable.

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